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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HARDIN ET AL.

SERIAL NO: 10/007621

FILED: 12/03/01

FOR: ENZYMATIC NUCLEIC ACID SYNTHESIS:

COMPOSITIONS AND METHODS FOR ALTERING

MONOMER INCORPORATION FIDELITY

§ EXAMINER: RILEY, J.

§ GROUP ART UNIT: 1637

§ DOCKET: 00007/02UTL

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EL961 168 242 US	CERTIFICATION UNDER 37 C.F.R. § 1.10	June 30, 2004
Express Mail Number		Date of Deposit
I hereby certify that this Application and the documents referred to as enclosed therein are being deposited		
with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," addressed to:		
Assistant Commissioner for Patents		
Washington, D.C. 20231		
Robert W. Swozler		June 30, 2004
		Date of Signature

**RESPONSE TO 4 JUNE 2004 ELECTION/RESTRICTION REQUIREMENT**

*Election/Restrictions*

The Examiner contends as follows:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-6 and 17-18 drawn to a composition comprising a modified nucleotide including a molecular and/or [sic] atomic tag to alter base incorporation fidelity, classified in class 536, subclass 23.1
- II. Claims 7-13 and 15 drawn to method comprising the step of adding a modified nucleotide including a molecular and/or atomic tag to alter base incorporation fidelity, classified in class 435, subclass 91.1.
- III. Claim 14 drawn to a method for making blunt-ended fragments, classified in class 435, subclass 91.1.
- IV. Claim 16 drawn to a method of inhibiting or preventing pyrophosphorolysis, classified in class 435, subclass 6.
- V. Claim 19-20, drawn to a method for increasing the fidelity of replication, classified in class 514, subclass 44.

Applicants traverse the restriction requirement and request reconsideration of the restriction with respect to groups I and II.

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